

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ENTERTAINMENT SOFTWARE  
ASSOCIATION, VIDEO SOFTWARE  
DEALERS ASSOCIATION, and MICHIGAN  
RETAILERS ASSOCIATION ,

Plaintiffs,

v

No. 05-73634

HON. GEORGE CARAM STEEH  
MAGISTRATE JUDGE PEPE

JENNIFER GRANHOLM, in her official capacity as Governor of the State of Michigan; MICHAEL A. COX, in his official capacity as Attorney General for the State of Michigan, et al, and KYM L. WORTHY, in her official capacity as Wayne County Prosecuting Attorney,

Defendants.

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**AFFIDAVIT OF GENE L. WRIGGELSWORTH**

The Affiant, Gene L. Wriggelsworth, being duly sworn, deposes and says:

1. I have personal knowledge of the facts contained in this affidavit and, if sworn as a witness, I can testify competently to the facts contained in this affidavit in support of Defendants Response to Plaintiff's Motion for Preliminary Injunction and Defendants' Motion for Transfer of Venue.

2. I have been the Ingham County Sheriff since 1989.

3. As Ingham County Sheriff I am responsible for managing the operations of the Ingham County Sheriff's Office, which includes supervising a staff of 225.

4. From 1998-1999 I served as the President of the Michigan Sheriff's Association.

5. The Michigan Sheriff's Association is a statewide law enforcement organization; all 83 Sheriffs in Michigan are members.

6. On May 10, 2005, on behalf of the Michigan Sheriff's Association, I testified before the Senate Judiciary Committee regarding Senate Bill 416, which prohibits the dissemination, exhibiting, or display of ultra-violent explicit video games to minors.

7. I described to the Committee a sting operation performed by the Ingham County Sheriff's office in April 2005 in which the Sheriff's office utilized three young people to purchase adult rated video games in Lansing area stores.

8. During the operation, a 14-year-old male and a 15-year-old female were able to purchase games rated "M" for mature.

9. Based on information and belief, similar operations were performed throughout the State and children ranging from 9 to 16 were able to purchase adult rated video games at 26 of 58 stores.

10. I also testified at the Senate hearing regarding an incident that occurred in February 2004 in Ingham County in which a young man caused a fatal accident that killed a father who was driving his son to the son's soccer game. An investigation into this accident was conducted by my office.

11. The 19-year-old driver who caused the accident had been playing a violent video game entitled "True Crime Streets of L.A." for a number of hours prior to the accident.

12. According to witnesses, the driver had bragged about driving recklessly and never getting caught by the police. In fact, the driver stated that he drives just like the characters do in the video game.

13. When the driver left his home he reportedly stated that he was going to drive crazy just like in the video game.

14. Unfortunately, after this young man stated that he was going to "drive crazy just like in the video game" he preceded to get in a car, drive in excess of 90-miles-an-hour, intentionally on the wrong side of the road, and hit a young family, killing the father.

15. It was later determined that the vehicle this young man was driving was stolen. Further Affiant sayeth not.

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Gene L. Wriggelsworth

Subscribed and sworn to before me this  
\_\_\_\_ day of October\_\_\_\_, 2005.

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Notary Public,  
State of Michigan, County of  
My commission expires: